

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MEMORANDUM AND ORDER

This case is before the Court on Defendant Kilolo Kijakazi's motion to reverse the decision of the administrative law judge (ALJ) and remand the case to Defendant pursuant to sentence four of section 205(g), 42 U.S.C. § 405(g). [ECF No. 23] Plaintiff Larry Hoffson states "no objection" to Defendant's motion to reverse and remand. [ECF No. 24]

On May 28, 2021, Plaintiff filed a complaint seeking review of Defendant's decision that Plaintiff was not under a disability within the meaning of the Social Security Act. [ECF No. 1] Defendant filed a transcript of the administrative proceeding. [ECF Nos. 15] Plaintiff filed a brief in support of the complaint, as well as a statement of uncontroverted material facts. [ECF Nos. 16, 16-1]

By the instant motion, Defendant requests the Court reverse and remand the case for further action under 42 U.S.C. § 405(g), which permits the Court to “enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the case for a rehearing.” 42 U.S.C. § 405(g). Defendant states: “After careful review of the above-captioned case, agency counsel

determined that remand was necessary for further evaluation of Plaintiff's claim." [ECF No. 23] Defendant explains that, on remand, "the Commissioner will issue a new decision that properly evaluates the claimant's ability to perform past relevant work and whether other work exists in significant numbers in the national economy that the claimant can still perform." [Id.] Defendant further states that "[r]emand would expedite administrative review, ensure that the Commissioner properly considers Plaintiff's claim, and could make judicial review unnecessary." [Id.]

Based on the record, the Court grants Defendant's unopposed motion to reverse the ALJ's decision and remand this matter to Defendant for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Accordingly,

IT IS HEREBY ORDERED that Defendant's unopposed motion to reverse and remand [ECF No. 23] is **GRANTED**.

A separate judgment in accordance with this Memorandum and Order is entered this same day.



PATRICIA L. COHEN
UNITED STATES MAGISTRATE JUDGE

Dated this 24th day of January, 2022